

1 Again, we're dealing with the issue of time, and I'm
2 wondering, is there anyone here that really has something
3 compelling to add to this question? Yes, Chris?

4 MR. RUGH: Currently, the brokering of numbers is
5 a felony. Stop making felons out of legitimate businessmen
6 and women.

7 MS. GORNEY: Okay. Anyone else?

8 MR. STOCKER: May I speak? Loren, from Vanity
9 International.

10 MS. GORNEY: Yes.

11 MR. STOCKER: Jennifer?

12 MS. GORNEY: Yes.

13 MR. STOCKER: I guess I'm going to take the
14 contrary view. I thought that's why it's important to put
15 this on the table here. My response was no, none, never.
16 We are 100 percent opposed to a market-based system. And
17 the very question mixes apples and oranges, or in our
18 metaphor on the street, it's cars and spots.

19 Essentially, we feel that, you know, the public
20 resource is in fact like parking spots, and they should be
21 freely available to anybody who comes, and they should not
22 have hockers in the streets selling parking spots. Nor
23 should we have valet drivers that think they own the streets
24 and every time one opens up they save it for their best
25 customers. Now this is not to suggest that people don't own

1 their cars, that's different. They do today have property
2 rights in their cars, and that's something built upon the
3 toll-free number. I think that some of the numbers that
4 were mentioned again, not my clients, but 1-800-FLOWERS, I
5 would argue owns a trademark called 1-800-FLOWERS, or at
6 least a common law right to that property. That is however
7 perfected by a subscription to a toll-free number, that they
8 have every economic perspective advantage in keeping.

9 And what I think we have to do here is look no
10 further than the domain market, which far from being a
11 model, is actually is a disaster. It started off with a
12 flood of speculators, in very quick order, the RespOrg
13 equivalent, which is called a Registrar, they got into
14 brokering domain, and it followed by -- right now there's a
15 proposal on the table from the registry themselves to
16 foreclose and subvert competition for a fee. What we have
17 here is something like 70 to 90 percent of all domains are
18 held by speculators. Put it another way, for every real
19 user, there might be three or four domains for sale.

20 If this sort of nonsense were allowed to be put on
21 toll-free, we would have a run on the banks like we haven't
22 seen since 1996. Further, our reserve of toll-free numbers
23 would be exhausted within months. Users would be forced to
24 deal with speculators, and cash incentives would encourage
25 all sorts of fraud.

1 In conclusion, the Commission has done a great
2 public service by preventing speculators from interfering
3 with the allocation now, not after it's allocated, the
4 allocation of toll-free numbers, and it's now time to carve
5 out appropriate rights for those that are already allocated.

6 MS. GORNEY: Okay. Thank you, Loren. Is there
7 anyone? Jim?

8 MR. GRUDUS: Jim Grudus, from AT&T. Jennifer,
9 very quickly, AT&T believes there are two big things to
10 consider here. One, that there are many derivative issues,
11 there's a surface level but then one really needs to parse
12 through the legal implications thinking through many
13 alternatives that haven't even been touched here.

14 And the other is that a lot more thought could be
15 given to sort of the rules of the game before you dive to
16 the heart of the question here, because you don't quite
17 understand, or the discussion is not necessarily focused
18 well enough to be able to vet some of the problems, as well
19 as some of the benefits. So AT&T's suggestion is that it's
20 not necessarily ripe at the moment that maybe a further,
21 more detailed investigation comments ability to analyze
22 through the position is well warranted before any movement
23 in this direction.

24 MS. GORNEY: Okay. Thank you. One more? Yes?

25 MR. CARPENTER: This is Jay Carpenter, with 1-800

1 AFTA. And basically, I think this is an excellent example
2 of where less is more. And what Les said is going to result
3 in more benefit to all.

4 MS. GORNEY: Okay. Any other final compelling
5 comments? Okay. I'm going to let Diane Griffin close this
6 forum.

7 MS. GRIFFIN: On behalf of the Bureau and Network
8 Services Division I want to thank all of the participants,
9 and all of the folks in the audience who came to listen and
10 to help us grapple at some of these very tough issues. I
11 want to show you that it's our hope, and our goal, to not
12 lose the momentum that this forum hopefully has kick
13 started, and we intend to move in very short order towards
14 some type of proceeding, more than likely a notice of
15 proposed rulemaking that will allow us to further develop
16 and ask questions on these issues, and move expeditiously
17 towards resolving the issues and problems that we've
18 identified here, and just moving forward on all of these
19 questions. So again, on behalf of the Commission, the
20 Bureau, and the Network Services Division I thank you. And
21 everyone get home safe. Thanks.

22 (Applause.)

23 (Whereupon, at 4:05 p.m., the forum was
24 concluded.)

25 //

REPORTER'S CERTIFICATE

FCC DOCKET NO.: N/A


CASE TITLE: FORUM ON TOLL-FREE NUMBER ADMINISTRATION

HEARING DATE: March 4, 2002

LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Federal Communications Commission.


Date: 3/13/02


Charles Kera
Official Reporter
Heritage Reporting Corporation
1220 L Street, N.W., Suite 600
Washington, D.C. 20005-4018

TRANSCRIBER'S CERTIFICATE

I hereby certify that the proceedings and evidence were fully and accurately transcribed from the tapes and notes provided by the above named reporter in the above case before the Federal Communications Commission.

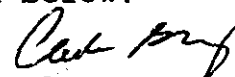
Date: 3/13/02


Karen Stryker
Official Transcriber
Heritage Reporting Corporation

PROOFREADER'S CERTIFICATE

I hereby certify that the transcript of the proceedings and evidence in the above referenced case that was held before the Federal Communications Commission was proofread on the date specified below.

Date: 3/13/02


Carlos Gamez
Official Proofreader
Heritage Reporting Corporation

Heritage Reporting Corporation
(202) 628-4888